

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Larry C. Olsen et al.

Application No. 10/581,281

Filed: May 31, 2006

Confirmation No. 3124

For: THERMOELECTRIC DEVICES AND
APPLICATIONS FOR THE SAME

Examiner: Golam Mowla

Art Unit: 1723

Attorney Reference No. 23-65037-09

FILED VIA EFS

ON NOVEMBER 11, 2011

FILED VIA ELECTRONIC FILING SYSTEM
COMMISSIONER FOR PATENTS

TERMINAL DISCLAIMER

Battelle Memorial Institute, 902 Battelle Boulevard, Richland, Washington 99352, (Battelle) is the owner of the entire interest in the above-identified application. The assignment was recorded on September 15, 2008, (Reel 21532, Frames 203-211).

Battelle hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior Patent No. 7,834,263 and Patent Application No. 11/004,611 as the term of said prior patent and patent application is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent and patent application is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent and patent application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent and patent application, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent and patent application later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I am empowered to act on behalf of Battelle.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Battelle Memorial Institute

Date

Derek H. Maughan

Manager, Intellectual Property Legal Services